* BEFORE THE IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE * ZONING COMMISSIONER SW/S Wycliffe Road, 148 ft. of c/l of Park Drive * OF BALTIMORE COUNTY 2531 Wycliffe Road 9th Election District * Case No. 92-275-A 4th Councilmanic District Dwight Buell, et ux Petitioners * * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance from Sections 1802.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 7 ft., in lieu of the required 10 ft.; and a front yard setback of 23 ft., in lieu of the required 33.4 ft., front yard average for an addition, as more particularly described on Petitioners' Exhib-

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no request for a public hearing, a decision shall be rendered based upon the documentation

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore tele will 1992 that the Petition for a Zoning Variance from Sections 1802.3.C.1 and 303.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow a side yard setback of 7 ft., in lieu of the required 10 ft.; and a front yard setback of 23 ft., in lieu of the required 33.4 ft., front yard average for an addition, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

MR. & MRS. DWIGHT A. BULL 2531 Wycliffe Road Baltimore, MD 21234

January 15, 1992

To:Whom It May Concern:

We are the parents of three (3) Children, one (1) of whom is handicapped. Our son is five (5) years old, and very hard to handle, we would very much like to see him able to live with us, instead of residential care in a special facilty.

Therefore, we ask for the permission to add to our home, to make things livable for him as well as the rest of our family.

Baltimore County Government Zoning Commissioner Office of Phoning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

February 20, 1992

Mr. and Mrs. Dwight A. Buell 2531 Wycliffe Road Baltimore, Maryland 21234

> RE: Petition for Residential Zoning Variance Case No. 92-275-A

Dear Mr. and Mrs. Buell:

Enclosed please find the decision rendered in the above captioned case. The Petition for Residential Variance has been granted, in accordance with the attached Order.

ZONING DESCRIPTION

Beginning at a point on the south side of Wycliffe Road which is

24'-7" wide at the distance of 148' east of the centerline of the nearest improved intersecting street, Park Drive which is 28' wide.

*Being Lot# 76,77,78, Block 5, Section# A, in the subdivision of

and located in the 9th Flection District.

Varianco

2531 Wydiffo Rd

Petitioner: Dwight x Lillis Bus!

Location of property: 5 W/s Wycliffe Ad., 148' NW/Pork Drivs

Location of Signer 1'60 mg Wycliff's Rd., opprox. 20 Fr. You way on

Harford Park as recorded in Baltimore County Plat Book# 5, Folio# 62,

containing 6,250 square feet in lot. Also Known as 2531 Wycliffe Road,

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Lawrence E. Schmidt Zoning Commissioner

LES:mmn

PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, petition for a Variance from Section 1802.3.C.1 303.1 To allow a side yard setback of 7 ft. and a front yard setback of 23 ft. in lieu of the required 10 ft. and 33 ft. 4 in. front yard average respectively.

See attached sheet

of the Zoning Regulations of Baltimore County for the following reasons: (indicate hardship or practical difficulty)

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of BaltimoreCounty adopted pursuant to the Zoning Law for
Religions County

	I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.
Contract Purchaser:	Legal Owner(s):
	Dwight A. Buell
(type or print name)	(type or point risme)
(signature)	(signature)
	Lillie Buell
address	(type exprint name) Title Devel
City State Zip Code	(signature)
Attorney for Petitioner:	2531 Wycliffe Road
	address phone
(type or print name)	Baltimore, MD 21234
(signature)	City State Zip Code Name, address and phone number of owner, contract purchaser or representative to be contacted.
address phone	<u></u>
	name

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner Of Baltimore County, this ______ day of ______, 19____, that the subject matter of this petition be set in for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.



ZONING COMMISSIONER OF BALTIMORE COUNTY



January 28, 1992

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

(410) 887-3353

Dwight and Lillie Buell 2531 Wycliffe Road Baltimore, Maryland 21234

Re: CASE NUMBER: 92-275-A LOCATION: SW/S Wycliffe Road, 148' NW of c/l Park Drive 2531 Wycliffe Road

Dear Petitioner(s):

Flease be advised that your Petition for Administrative Zoning Variance has been assigned the above case

1) Your property will be posted on or before February 2, 1992. The closing date is February 18, 1992.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in two local newspapers.

3) Please be advised that you must return the sign and post to this office. They may be returned after

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR

Towson, MD 21204

111 West Chesapeake Avenue

9th Election District - 4th Councilmanic

number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

The closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

Charges related to the reposting and advertising are payable by the petitioner(s).

the closing date. Failure to return the sign and post will result in a \$50.00 charge.

DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

IN SUPPORT OF ADMINISTRATIVE VARIANCE The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to

AFFIDAVIT

testify thereto in the event that a public hearing is scheduled in the future with regard thereto. That the Affiant(s) does/do presently reside at 2531 Wycliffe Road That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardehip or practical difficulty)

See attached sheet

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting.

I HEREBY CERTIFY, this 14th day of January, 19 9Z, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dwight A. Buell and Lillie Buell the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Scal. Vanvary 14. 1592

NOTARY

PUBLIC

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

(

(410) 887-3353

Mr. & Mrs. Dwight A. Buell 2531 Wycliffe Road Baltimore, MD 21234

> RE: Item No. 296, Case No. 92-275-A Petitioner: Dwight A. Buell, et ux Petition for Administrative Variance

February 5, 1992

Dear Mr. & Mrs. Buell:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a review by Zoning personnel.

Zoning Plans Advisory Committe Coments Date: February 5, 1992

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or imcompleteness.

Attorneys and/or engineers who make appointments to file petitions on a fegular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the loss of filing fee.

W. Carl Richards

Coordinator

WCR:jw

Enclosures

and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this

Baltimore County Government Office of Zoning Administration

ARNOLD JABION
DIRECTOR

Received By:

Chairman,
Zoning Plans Advisory Committee

Petitioner: Dwight A. Buell, et ux
Petitioner's Attorney:

17th day of January, 1992.

EALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director DATE: February 4, 1992
Zoning Administration and
Development Management

Gary L. Kerns, Chief
Comprehensive and Community Planning
Office of Planning and Zoning

SUBJECT: LeBrun Property, Item No. 301
Jackson Property, Item 300
Buell Property, Item 296
Loncala Property, Item 291
Knoll Property, Item 290
Trustees Cedar Grove V.M. Church, Item No. 289
Hoffman Property, Item 285
Brooks Property, Item 283

In reference to the Petitioners' request, the staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

Report prepared by:

firey Long

GLK/JL:rdn ITEM301/TXTROZ

Baltimore County Government Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204-5500 (301) 887-4500

JANUARY 30, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Euilding
Towson, MD 21204

RE: Property Owner: DWIGHT A. BUELL AND LILLIE BUELL

Location:

Gentlemen:

#2531 WYCLIFFE ROAD

AYCLIFFE ROAD

Item No.: 296

Zoning Agenda: JANUARY 28, 1992

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER:

Planning Group | Fire Prevention Bureau Special Inspection Division

JP/KEK

BALTIMORE COUNTY
ECONOMIC DEVELOPMENT COMMISSION

Julie Winiarski Office of Zoning Administration and Development Management

ROM: A. J. Haley, Deputy Director
Economic Development Commission

DATE: January 29, 19

DAIR. Center 1 27, 177

Zoning Advisory Comments for Meeting of January 28, 1992

This office has no comment for items 285, 286, 289, 290, 291, 292, 293, 294, 295, 296 and 297.

JAN 30 1992 ZONING OFFICE 92-275-1

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: February 13, 1992 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for January 28, 1992

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 285, 289, 290, 291, 293, 294, 295 and 296.

For Items 286 and 292 County Review Group Meetings will be required.

For Item 297, the previous County Review Group Comments still remain valid.

ROBERT W. BOWLING, F.E., Chief Developers Engineering Division

RWB:s

92-275-A 2-18

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: February 18, 1992

Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management

ROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: January 28, 1992

This office has no comments for item numbers 285, 290, 291, 292, 294, 295 and 296.

Rahee J. Famili
Traffic Engineer II

A CONTROL OF THE CASE OF THE PROPERTY OF THE P

RJF/lvd

MR. & MRS. DWIGHT A. BUELL
2531 Wycliffe Road
Baltimore, MD. 21234

I, PAUL LONSDALE, residing at 2525 Wycliffe Road, Baltimore, MD. 21234, have reveiwed plat plan extension for 2531 Wycliffe Road, Baltimore, MD 21234, and have no objections to proposed

construction. STATE OF MARYLAND, County of BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of January, 1992, before me, a Notory Public of the State of Maryland, in and for the County aforesaid, personally

Paul E. Lonsdale

I, Mary Beth Lonsdale, residing at 2525 Wycliffe Road, Baltimore, MD. 21234, have reveiwed plat plan extension for 2531 Wycliffe Road, Baltimore, MD 21234, and have no objections to proposed

construction. STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, this 15th day of January, 1992,
before me, a Notory Public of the Mary Be Mary Beth Lonsdale State of Maryland, in and for the County aforesaid, personally appeared

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiants(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notorial Seal.

Mary Beth Lonsdale

<u>Vanuary</u> 15. 1992

NOTARY PUBLIC

DONALD CROOK

y Commission Expires: May 14, 1994

MR. & MRS. DWIGHT A. BUELL
2531 Wycliffe Road
Baltimore, MD 21234 I, Steven McElroy, residing at 7408 Park Drive, Baltimore, MD. 21234, have reviewed plat plan extension for 2531 Wycliffe Road Baltimore, MD 21234 and have no objections to proposed construc-STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I Hereby Certify, this 15th day of January, 1992, before me, a Notory Public of the State of Maryland, in and for the County aforesaid, Steven McElroy Personally appeared Stephen McElroy the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiants(s), and made oath in due form of law that the matters and facts herinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notorial Seal. Vanuary 15, 1998 My Commission Expires: 11/4, 1994



MR. & MRS. DWIGHT A. BUELL
2531 Wycliffe Road
Baltimore, MD 21234 I, Merle Bowers, residing at 2529 Wycliffe Road, Baltimore, MD 21234, have reveiwed plat plan extension for 2531 Wycliffe Road, Baltimore, MD 21234, and have no objections to proposed construction. STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit: I HEREBY CERTIFY, this 15th day of January, 1992, before me, a Notory Public of the State of Maryland, in and for Merle Bowers the County aforesaid, personally Merle Bowers the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiants(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notorial Seal. January 15, 1992

date My Commission Expires: May 14. 1999

MR. & MRS. DWIGHT A. BUELL
2531 Wycliffe Road
Baltimore, MD 21234 I, Thomas Hoffman, owner, 2527 Wycliffe Road, Baltimore, MD 21234, have reviewed plat plan extension for 2531 Wycliffe Road, Baltimore, MD 21234, and have no objections to the proposed construction. STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of January, 1992, before me, a
NotoryPublic of the State of Maryland,
in and for the County aforesaid,
personally appeared

Thomas Hoffman Thomas J. Hoffman the Affiants(s) herein, personally known or satisfactorily identified to me such Affiants(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notorial Seal. date 15Th 1992 NOTORY PUBLIC

DONALD CROCK

My Commission Expires: 1/hy 14. 1994





